

UNITED STATES DISTRICT COURT
for the
Western District of North Carolina

FILED
CHARLOTTE, NC

JUL - 3 2017

United States of America

v.

Marcus Lenard Armstrong

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)
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)
)
)

Case No.

3:17MJ _____

US District Court
Western District of NC

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of June 30, 2017 in the county of Mecklenburg in the
Western District of North Carolina, the defendant(s) violated:

Code Section

Offense Description

Defendant did knowingly and intentionally resist, impede and interfere a
Federal Agent while engaged in the performance of official duties

18 U.S.C. Section 111

This criminal complaint is based on these facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet.


Complainant's signature

Justin G. Crooks, United States Postal Inspector

Printed name and title

Sworn to before me and signed in my presence.

Date: 7/3/17


Judge's signature

City and state: Charlotte, North Carolina

U. S. Magistrate Judge David C. Keesler

Printed name and title

AFFIDAVIT

The undersigned, being duly sworn, deposes and states:

1. I, Justin Crooks, a United States Postal Inspector currently assigned in Charlotte, North Carolina, am assigned to investigate various offenses, including use of the U.S. Mail to transmit controlled substances in violation of 21 U.S.C. § 841. I have been so employed since 2003. I have received formal classroom training from the U.S. Postal Inspection Service during the twelve-week Postal Inspector Basic Training Academy in Potomac, Maryland.

Background of Investigation

2. On June 27, 2017, DEA SA Supervisor Chris Fletcher contacted me concerning a parcel that was en route to the Charlotte area via the US Postal Service. SA Fletcher provided a tracking number of 9405 5036 9930 0060 2004 25 and advised that the parcel could possibly contain Xanax pills.
3. I researched this tracking number and found that it was being shipped from the Flushing, New York area and was being delivered to 924 Rowan St, Charlotte, NC 28208. I also identified multiple other parcels that were being shipped from the same sender. These parcels were to be delivered to multiple locations across the country. Two additional parcels were to be delivered to the same address in Charlotte.
4. SA Fletcher provided additional information on June 28, 2017 that the suspect parcel could possibly contain Fentanyl.

Suspect Parcel Addressed to Tim McCoy, 924 Rowan Street, Charlotte, NC

5. On June 29, 2017, I located the suspect parcel at the Yorkmont Post Office, 4800 Express Dr, Charlotte, NC. The parcel was addressed to Tim McCoy and was from Minchao Wu, PO Box 541337, Flushing, NY 11354. The parcel weighed 2 pounds 6 ounces and it was a standard USPS Priority Tyvek envelope. I took possession of the parcel.
6. I contacted CMPD TFO Detective Ginny Woodlief and requested assistance for a K9 lineup with the suspect parcel. Det. Woodlief and her K9 partner Zeke arrived at the US Postal Inspection Service office and conducted a parcel line up. K9 Zeke did not alert on

the suspect parcel. Det. Woodlief advised that if it contained Xanax or certain types of Fentanyl, her K9 would not alert on it.

7. On June 29, 2017, I was contacted by USPS Letter Carrier Joe Carpenter at approximately 3:00 pm. Carpenter stated that he was stopped by a black male, approximately 40 years of age, while on his route. This person identified himself as Tim McCoy and asked about the suspect parcel. Carpenter told the man that he did not have any packages for that address today and that it was possible that the parcel could be at the post office. Carpenter told the person that he could contact the post office to inquire about it. The person told Carpenter that he was going to go up to the post office to ask about it. Carpenter said that he was driving a small grey sedan.

Knock and Talk At 924 Rowan Street, Charlotte, NC

8. On June 30, 2017, at approximately 11:30 am, Postal Inspectors, DEA agents and CMPD K9 Officer Chris Newman, conducted a knock and talk at 924 Rowan St, Charlotte NC. I, along with SA Brian Bradshaw, knocked on the door and then spoke to Tim McCoy. McCoy at first denied any knowledge of the suspect parcel and later admitted that he was accepting other packages for a friend of the family. The person that asked him to accept these packages was Marcus Armstrong.
9. McCoy gave consent for the parcel to be opened at approximately 11:45 am. I opened the parcel at the scene. The parcel contained another envelope with foreign markings and this envelope was addressed to Tim McCoy using the same address. Inside of this envelope were two aluminum zip lock bags that contained a white powdery substance. At this time, the contents were placed in another zip lock bag for safety reasons. The Charlotte Mecklenburg Police Crime Scene Unit responded and took possession of the substance. The substance was taken to the CMPD Lab for testing.

Person Purporting to Be McCoy Stops Letter Carrier

10. At approximately 1:15 pm, I received a phone call from Letter Carrier Carpenter. Carpenter said that he was again stopped by the same person who previously identified himself as McCoy asking about the package. This man was told that the package was probably at the post office because he did not have it. The person also gave Carpenter his phone number, 770-331-3850, and asked to call him if he found it. Carpenter said this man was driving the same gray car with South Carolina tag NQQ649.

11. I then received a message that the supervisor at the Yorkmont Post Office, Yvette Butler, was trying to reach me because a person was calling her about the suspect parcel. I called Ms. Butler and she said that the person was calling about the parcel and was on his way to pick it up. I told her that I would be there within a few minutes. Upon my arrival, I asked Ms. Butler to call the person back and tell him that she had the package and to ask for her once he got there.

Armstrong Appears At Post Office and Asks About Suspect Parcel

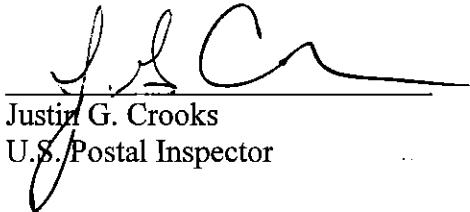
12. I, along with Inspectors Gilpin and Rogers, waited inside the post office while DEA agents waited in the parking lot. At approximately 2:47 pm, a person arrived at the post office and went into the retail lobby area. Supervisor Butler saw him waiting in line and told him to step over to the service door in the box lobby. When the person stepped over to the door, I stepped outside and asked if I could help him. He stated that he needed to pick up a package. I asked for his name and he hesitated and replied "Armstrong." I asked for the address the package was going to and the tracking number. He stated that he was dealing with the other lady and asked to see her. I told him that I was the supervisor and that she was busy but I could help him get the package. I again asked for the address or the tracking number. He began looking at his phone and said that it was Rowan St. and that he had the tracking number in his car. The person began to back away from me. I then identified myself as a federal agent and told him that I needed to talk to him about the package. He then pushed away from me, turned and ran out of the post office. I followed him and gave him commands to stop. After he got outside of the lobby, I was able to catch him and tackle him to the ground. The subject who had identified himself as "Armstrong" continued to resist while I attempted to gain control of him. The other Inspectors and agents then assisted me in placing the subject in handcuffs.
13. A cursory search of Armstrong's person was conducted. He had two cell phones in his pockets, a wallet with identification cards from South Carolina and Georgia, and \$2150 in cash that was bound by rubber bands.

Armstrong's Statements to Law Enforcement

14. Armstrong was given his *Miranda* warnings and he agreed to speak to us. He was taken out of handcuffs and he signed the waiver form after it was read to him at 2:56 pm.

Armstrong said that he was picking up the package for a friend. He would not say who the friend was and he said he did not know what was in the package. I told Armstrong that the package he was picking up contained an illegal narcotic that was potentially very lethal and I needed to know his involvement. Armstrong then stated at 3:01 pm that he wanted to talk to a lawyer.

15. Armstrong was arrested for Resisting a Federal Agent and was taken to the Mecklenburg County Detention Center. Once at the detention center, Armstrong requested to speak to Inspectors. Armstrong was given his *Miranda* warnings again and he signed the waiver form.
16. Armstrong stated that he was asked to accepted packages through the US Mail for another person for a fee of \$500 each. Armstrong stated he had received three other packages for this person in the Atlanta area. Armstrong said he was using the address of a family friend in Charlotte to receive the suspect parcel.
17. Armstrong stated that it was him, not McCoy, who had approached the letter carrier on two separate days asking about the parcel. He said he was also the person who had gone to the post office on both of these days to inquire about its whereabouts.
18. Armstrong said that, after I identified myself as a Federal Agent, he became scared and tried to run away from me.



Justin G. Crooks
U.S. Postal Inspector

Sworn to and subscribed before me this 3rd day of July 2017.



Honorable David C. Keesler
U. S. Magistrate Judge